

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JERRY J. MCELROY and CARLA D.
MCELROY

v.

HSBC BANK USA, NATIONAL
ASSOCIATION, AS TRUSTEE FOR
NOMURA HOME EQUITY LOAN, INC.,
ASSET-BACKED CERTIFICATES,
SERIES 2006-FM1 and OCWEN LOAN
SERVICING, LLC

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Civil Action No. 4:17-CV-806
(Judge Mazzant/Judge Nowak)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On October 1, 2018, the report of the Magistrate Judge (Dkt. #32) was entered containing proposed findings of fact and recommendations that Defendants' Motion for Summary Judgment (Dkt. #15) be **GRANTED**.

Having received the report of the Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendants' Motion for Summary Judgment is GRANTED. Defendants' counterclaim for foreclosure is GRANTED and Plaintiffs' claims against Defendants are DISMISSED with prejudice.

SIGNED this 31st day of October, 2018.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE